

UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

League of Women Voters of Arizona; Mi  
Familia Vota Education Fund; and Promise  
Arizona, on behalf of themselves, their  
members, and all others similarly situated,

Plaintiffs,

vs.

Michele Reagan, in her official capacity as  
Secretary of State for the State of Arizona,

Defendant.

No. \_\_\_\_\_

ORDER TO SHOW CAUSE

This matter arises from Plaintiffs' Application for An Order to Show Cause Why A Preliminary Injunction Should Not be Entered ("Application"). The Court, having received and considered Plaintiff's Application, and supporting documents, hereby ORDERS as follows:

**IT IS HEREBY ORDERED AND DIRECTED** that defendant Michele Reagan, in her official capacity as Secretary of State for the State of Arizona ("SOS"), appear before this Court on the \_\_\_\_ day of \_\_\_\_\_, 2018, at \_\_\_\_ o'clock \_\_.m. and then and there show cause, if she has any, why this Court should not enter the preliminary injunction sought by Plaintiffs in this action. Specifically, Plaintiffs seek the following injunctive relief:

1. Following the issuance of this Order and until such further order of this Court, the SOS will develop a system to ensure that any provisional ballot cast in a federal election by individuals who do not appear on the voter roll at their current address will be counted if

the individuals are registered to vote any place in Arizona and the Arizona Department of Transportation (“ADOT”) through ADOT’s Motor Vehicle Division (“MVD”) (collectively “ADOT/MVD”) has a record of a license application, renewal, or change-of-address transaction where the individuals reported their current address during the ADOT/MVD transaction (whether in-person or online) from November 9, 2016 until resolution of this matter. If the ballot is cast out of precinct, only the votes for the offices the individuals would be entitled to vote for in their home precinct will be counted.

2. The SOS shall post and prominently display a notice at all polling locations and provide signs for all ADOT/MVD offices containing the information in the foregoing paragraph. These signs shall be in English and Spanish.

3. The SOS shall enable poll workers to look up polling places by address, and shall train poll workers to ensure voters who arrive at the incorrect precinct are informed that they must go to the polling place for their new address in order for their full ballot to be counted.

4. Nothing in the preliminary injunction Order shall be construed to reduce or eliminate any existing obligation placed on the SOS by the NVRA or state law.

5. The SOS shall send a Remedial Mailing to each individual who engaged in a Covered Transaction (*e.g.*, initial application, renewal, and/or change of address) (“Covered Transaction”) with ADOT/MVD between November 9, 2016 and present (whether in person, online, by phone, or by mail) where an individual reported a new address.

6. The Remedial Mailing shall consist of a letter, explaining that the individual receiving the letter may have recently moved but that the address associated with their voter registration record may not have been updated, and a blank voter registration application. The Remedial Mailing shall provide the following information:

- (a) If you are already registered to vote at your current address, you do not need to re-register to vote. You can check your voter registration at: <https://voter.azsos.gov/VoterView/RegistrantSearch.do>
- (b) If you need to update your address and you have an Arizona Driver’s License or State ID card issued after October 1, 1996, you can update

your voter registration address online through ADOT's Service Arizona website listed below. This is the easiest way to update your registration. <https://servicearizona.com/voterRegistration?popularclick>

- (c) If you are not registered to vote where you live now, and you want to vote in the upcoming federal election on November 6, 2018, you must return or mail this application to one of the locations described below or complete the online registration by October 9, 2018.
- (d) If you do not update your address, you can still vote on Election Day by:
  - (i) Looking up your address and going to your new polling place, where you will be able to update your voter registration address and vote a regular ballot. You can find your correct polling place by calling 1-877-THE VOTE (843-8683) or looking it up at: <https://voter.azsos.gov/VoterView/PollingPlaceSearch.do>;
  - (ii) Going to your old polling place where you can update your address and cast a provisional ballot that will be counted for this general federal election only for all offices for your current address; or
  - (iii) If your county has vote centers, going to any vote center in your county and if you have moved within that county, you can update your address and vote a regular ballot. If you moved to a new county, you can cast a provisional ballot that will be counted for this general federal election only for all offices for your current address.
- (e) If you vote by mail, and you are not registered to vote where you live now, you will need to update your voter registration address to receive your mail ballot. Please call 1-877-THE VOTE (843-8683) to get help with updating your address.
- (f) If you have any questions, you can call 1-877-THE VOTE (843-8683).
- (g) If you need assistance in Spanish, please call 1-877-THE VOTE (843-8683) (Si necesita ayuda con la inscripción de votante en español, por favor llame al 1- 877-THE VOTE (843-8683)).

7. The SOS shall deliver a draft of the Remedial Mailing to Plaintiffs' Counsel no later than August 31, 2018. Thereafter, the SOS and Plaintiffs' Counsel will confer in good faith to agree on the final content of the Remedial Mailing. The Remedial Mailing shall go out no later than September 14, 2018. If agreement is not reached before September 7, 2018, any disputes regarding the letter will be resolved by the Court.

8. The Plaintiffs are excused from the requirement of giving security in support of the preliminary injunction.

Plaintiffs also seek expedited discovery in the form of a single 30(b)(6) deposition of an SOS 30(b)(6) designee.

1       **IT IS FURTHER ORDERED** that Plaintiffs shall serve a copy of this Order and  
2 Plaintiffs' Application upon the SOS within 2 court days of the Court's issuance of this  
3 Order.

4       **IT IS FURTHER ORDERED** that the SOS shall file and serve its response to  
5 Plaintiffs' Application by 5 p.m. on the \_\_\_\_ day of \_\_\_\_\_, 2018.

6       **IT IS FURTHER ORDERED** that Plaintiffs shall file and serve their reply in  
7 support of their Application by 5 p.m. on the \_\_\_\_ day of \_\_\_\_\_, 2018.

8       **IT IS FURTHER ORDERED** that the SOS shall file and serve its response to  
9 Plaintiffs' Motion for Expedited Discovery by 5 p.m. on the \_\_\_\_ day of  
10 \_\_\_\_\_, 2018.

11       **IT IS FURTHER ORDERED** that Plaintiffs shall file and serve their reply in  
12 support of their Motion for Expedited Discovery by 5 p.m. on the \_\_\_\_ day of  
13 \_\_\_\_\_, 2018.

14       **IT IS FURTHER ORDERED** that this matter will be heard by the Court on the  
15 \_\_\_\_ day of \_\_\_\_\_, 2018 at \_\_\_\_ a.m./p.m. in Courtroom \_\_\_\_.